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Frederick G. Thiel, and Simeon Salzman

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TAD SCHLATRE, Individually and on Behalf
of All Others Similarly Situated,

Plaintiff,

v.

MARATHON DIGITAL HOLDINGS, INC.
f/k/a MARATHON PATENT GROUP, INC.,
MERRICK D. OKAMOTO, FREDERICK G.
THIEL, and SIMEON SALZMAN,

Defendants.

CASE NO.: 2:21-cv-02209-RFB-NJK

**NOTICE OF RELATED CASES
PURSUANT TO LR 42-1(a)**

Pursuant to Local Rule 42-1(a), Defendants hereby provide notice of the following related case: *Kimberly Bernard v. Fred Thiel, Georges Antoun, Kevin DeNuccio, Sarita James, Jay Leupp, Said Ouissal, Merrick D. Okamoto, Simeon Salzman, and Nominal Defendant Marathon Digital Holdings, Inc.*, Case No. 2:22-cv-305-JAD-VCF (the “Derivative Action”).

The instant Securities Class Action and the Derivative Action concern allegations against, or purportedly derivatively on behalf of, Defendant/Nominal Defendant Marathon Digital Holdings, Inc. (“Marathon”) and directors and/or officers of Marathon. The complaints in both

actions contain allegations stemming from the same events: Marathon's announcement in October 2020 that it had entered into a venture with Beowulf Energy LLC to operate a Bitcoin mining data center in Hardin, Montana. On November 15, 2021, Marathon disclosed its receipt of a subpoena from the Securities and Exchange Commission related to its venture with Beowulf. Plaintiff filed the complaint in the instant Securities Class Action on December 17, 2021, alleging that Marathon violated the federal securities laws by not disclosing regulatory issues raised by the venture in October 2020, and the complaint in the Derivative Action, which is based on the allegations in the Securities Class Action, followed on February 18, 2022. As a result, both actions involve similar questions of fact, although different questions of law, and assignment to the same judge would be desirable.

DATED this 7th day of April 2022.

PISANELLI BICE PLLC

By: /s/ Debra L. Spinelli

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Thiel, and Simeon Salzman

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of Pisanelli Bice PLLC, and that on this 7th day of April 2022, I caused to be served via the Court's CM/ECF program true and correct copies of the above and foregoing **NOTICE OF RELATED CASES PURSUANT TO LR 42-1(a)** to all parties via electronic service.

/s/ Kimberly Peets

An employee of Pisanelli Bice PLLC

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